

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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KDH CONSULTING GROUP LLC,
Plaintiff,

– against –

ITERATIVE CAPITAL MANAGEMENT L.P., et al.,
Defendants.

1:20 Civ. 03274 (VM)

**MOTION TO RECOVER COSTS
AND DAMAGES FROM THE TRO
SECURITY POSTED BY PLAINTIFF**

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Defendants Iterative Capital Management L.P., Iterative Capital GP, LLC, Iterative OTC, LLC, Iterative Mining, LLC, Brandon Buchanan, and Christopher Dannen, through undersigned counsel and pursuant to this Court's Decision and Order, Dkt. 53, and Federal Rule of Civil Procedure 65, respectfully request that the Court grant their Motion for Costs, awarding Defendants their costs and damages incurred as a result of the temporary restraining order wrongfully issued on April 27, 2020, Dkt. 9, up to the amount of the security posted by Plaintiff KDH Consulting Group LLC. The arguments in support of this Motion are presented in the attached Memorandum in Support, and are incorporated herein.

Dated: December 11, 2020

Respectfully submitted,

s/ Robert J. Boller

Robert J. Boller

Lawrence Gerschwer

BARNES & THORNBURG LLP

445 Park Ave., Suite 700

New York, NY 10022-8634

Phone: 646-746-2020

Fax: 212-872-1002

Email: rboller@btlaw.com

Lawrence.Gerschwer@btlaw.com

CERTIFICATE OF SERVICE

I hereby certify that on December 11, 2020, I served a copy of the foregoing upon the below via the Court's CM/ECF system.

Rika Khurdayan
Khurdayan PLLC
60 Broad Street, 24th Floor
New York, NY 10004
rika@kstechlaw.com

Counsel for Plaintiff

s/ Robert J. Boller
Robert J. Boller